



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ronald Cleveland and Steve Wendler
Application No.: 10/633,365 Group: 2856
Filed: August 1, 2003 Examiner: Not assigned
Confirmation No.: 5132
For: TRAILER CARGO DETECTION USING ULTRASONIC TRANSDUCERS

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

03/31/04

Date

Ellen T. Spear

Signature

Ellen T. Spear

Typed or printed name of person signing certificate

PETITION UNDER 37 C.F.R. § 1.47(a) AND TRANSMITTAL
OF DECLARATION

Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Terion, Inc. and Steve Wendler hereby petition that the above-captioned application be accepted under 37 C.F.R. § 1.47(a). The petition fee required under 37 C.F.R. § 1.17(h) is provided herewith.

One of the inventors, Ronald Cleveland, has not returned a signed Declaration for the above-referenced patent application despite attempts.

On August 1, 2003, the application materials for the above-referenced application, including the specification, claims, abstract, and drawings ("the application papers"), were deposited with the U.S. Postal Service under 37 C.F.R. § 1.10.

On December 23, 2003 I forwarded a copy of all the application papers, including a Declaration and Assignment form, to Mr. Ronald Cleveland at his last known address. The

documents were sent via Certified Mail. A copy of my letter and the documents and Certified Mail Receipt is attached hereto as Exhibit A.

Mr. Cleveland as of this date has still not returned the executed documents despite an attempt to obtain his signature.

The last known address of Mr. Ronald Cleveland is:

8802 Blue Sea Drive
Columbia, Maryland 21046

The executed Declaration for the other inventor, Steve Wendler, is being submitted herewith in response to the Notice to File Missing Parts dated October 31, 2003. A copy of Form PTO-1533 is enclosed.

The attached check in the amount of \$2,196 which includes payment of the filing fees, surcharge, and fee required under 37 C.F.R. §1.17(h).

Please charge any additional fees due in this matter to Applicants' Attorney Deposit Account No. 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH AND REYNOLDS, P.C.

By Lubashev
Lyudmila Lubashev
Registration No. 55,408
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 3/31/04

EXHIBIT

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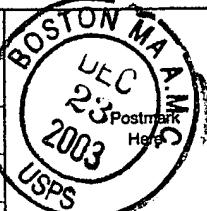
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Sent To Mr. Ronald Cleveland

Street, Apt. No.; or PO Box No. 6326 Roan Stallion Lane

City, State, ZIP+4 Columbia, MD 21045

PS Form 3800, April 2002

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

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1. Article Addressed to:

Mr. Ronald Cleveland
6326 Roan Stallion Lane
Columbia, MD 21045

2. Article Number

(Transfer from service label) 7002 0860 0000 4304 5793

PS Form 3811, August 2001

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X Ronald Cleveland

 Agent Addressee

B. Received by (Printed Name)

RONALD CLAUDIO

C. Date of Delivery

12-29-03

D. Is delivery address different from item 1?

If YES, enter delivery address below: Yes No

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COLUMBIA MD 21046

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| <input type="checkbox"/> Registered | <input type="checkbox"/> Return Receipt for Merchandise |
| <input type="checkbox"/> Insured Mail | <input type="checkbox"/> C.O.D. |

4. Restricted Delivery? (Extra Fee)

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102595-02-M-1540

HAMILTON
BROOK
SMITH &
REYNOLDS, P.C.

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ADMINISTRATIVE DIRECTOR

BARBARA J. FORGUE
ADMINISTRATOR OF
PATENT AND
TRADEMARK PRACTICE

December 23, 2003

Mr. Ronald Cleveland
6326 Roan Stallion Lane
Columbia, Maryland 21045

Re: Title: Trailer Cargo Detection Using Ultrasonic Transducers
HBSR Docket No.: 2293.2011-001

Dear Mr. Cleveland:

Enclosed is a Declaration for Patent Application for the referenced case and an Assignment form in which each inventor assigns rights to the invention to Terion, Inc. Also enclosed is a copy of the above referenced patent application as filed.

Please note that the Declaration requires that each inventor carefully read the patent application in its entirety before signing it. If the application is acceptable, please have each inventor sign and date the Declaration in BLUE ink. Each inventor should also check to be sure that the typed name, address and citizenship on the Declaration are correct. If they are not, the inventor should indicate the correct information in BLUE ink, and initial and date each correction in the margin.

If you have any questions or concerns, or feel any changes need to be made in the Declaration, please call me.

The Assignment should be signed in BLUE ink by each inventor in the presence of a Notary Public.

Please return all pages of these documents as soon as possible for filing in the U.S. Patent and Trademark Office.

Very truly yours,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Lucy Lubashev
Lucy Lubashev
Technology Specialist

LL/ets
Enclosures

cc: David J. Thibodeau, Jr., Esq.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

[] Supplemental (37 C.F.R. §1.67)

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 2 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

TRAILER CARGO DETECTION USING ULTRASONIC TRANSDUCERS

the specification of which (check one)

- [] is attached hereto.
- [X] was filed on August 1, 2003 as United States Application Number 10/633,365.
- [] was filed on [PCT Filing Date] as PCT International Application No. [PCT Appl'n No.] [OPTION and assigned United States Application No. []].
- [] and was amended on [] (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119 or 365 of any foreign application(s) for patent or inventor's certificate, or of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	Priority Not Claimed	Certified Copy Filed? YES	NO
(Number)	(Country)	(Day/Month/Year filed)	[] [] []
(Number)	(Country)	(Day/Month/Year filed)	[] [] []
(Number)	(Country)	(Day/Month/Year filed)	[] [] []

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Ronald Cleveland

Inventor's Signature _____

Date _____

Residence _____

6326 Roan Stallion Lane

Columbia, Maryland 21045

Citizenship _____

USA

Mailing Address _____

same

Full name of second joint

inventor, if any Steve Wendler

Inventor's Signature _____

Date _____

Residence _____

619 Fallbrook Drive

Flower Mound, Texas 75028

Citizenship _____

USA

Mailing Address _____

same

Full name of third joint

inventor, if any _____

Inventor's Signature _____

Date _____

Residence _____

Citizenship _____

Mailing Address _____

Full name of fourth joint

inventor, if any _____

Inventor's Signature _____

Date _____

Residence _____

Citizenship _____

Mailing Address _____

Joint

ASSIGNMENT

WHEREAS, we, **Ronald Cleveland and Steve Wendler**, have invented a certain improvement in **Trailer Cargo Detection Using Ultrasonic Transducers** described in an application for Letters Patent of the United States,

- [] the specification of which is being executed on even date herewith and is about to be filed in the United States Patent Office (*use for 37 CFR §1.53(b) filings only*);
- [X] the specification of which was filed on **August 1, 2003** as United States Application No. **10/633,365**;
- [] the specification of which is the United States National Stage of International Application No. [PCT Appl'n No.], filed on [PCT Filing Date] [OPTION and assigned United States Application No. []] (*use for 35 USC §371 filings only*);
- [] which was patented under United States Patent No. [] on [].

WHEREAS, **Terion, Inc.** (hereinafter "ASSIGNEE"), a corporation organized and existing under the laws of the State of Delaware, and having a usual place of business at **6505 Windcrest Drive, Suite 200, Plano, Texas, 75024**, desires to acquire an interest therein in accordance with agreements duly entered into with us;

NOW, THEREFORE, to all whom it may concern be it known that for and in consideration of said agreements and of other good and valuable consideration, the receipt of which is hereby acknowledged, we have sold, assigned and transferred and by these presents do hereby sell, assign and transfer unto said ASSIGNEE, its successors, assigns and legal representatives, the entire right, title and interest in and throughout the United States of America, its territories and all foreign countries, in and to said invention as described in said application, together with the entire right, title and interest in and to said application and such Letters Patent as may issue thereon; said invention, application and Letters Patent to be held and enjoyed by said ASSIGNEE for its own use and behalf and for its successors, assigns and legal representatives, to the full end of the term for which said Letters Patent may be granted as fully and entirely as the same would have been held by us had this assignment and sale not been made; we hereby convey all rights arising under or pursuant to any and all international agreements, treaties or laws relating to the protection of industrial property by filing any such applications for Letters Patent. We hereby acknowledge that this assignment, being of the entire right, title and interest in and to said invention, carries with it the right in ASSIGNEE to apply for and obtain from competent authorities in all countries of the world any and all Letters Patent by attorneys and agents of ASSIGNEE's selection and the right to procure the grant of all such Letters Patent to ASSIGNEE for its own name as assignee of the entire right, title and interest therein;

AND, we hereby further agree for ourselves and our executors and administrators to execute upon request any other lawful documents and likewise to perform any other lawful acts which may be deemed necessary to secure fully the aforesaid invention to said ASSIGNEE, its successors, assigns and legal representatives, but at its or their expense and charges, including the

execution of applications for patents in foreign countries, and the execution of substitution, reissue, divisional or continuation applications and preliminary or other statements and the giving of testimony in any interference or other proceeding in which said invention or any application or patent directed thereto may be involved;

AND, we do hereby authorize and request the Commissioner of Patents of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said ASSIGNEE, its successors, assigns, and legal representatives.

IN TESTIMONY WHEREOF, we have hereunto set our hands and affixed our seals the date set forth below.

Inventor's Signature: _____ Ronald Cleveland

State/Commonwealth

of _____

County of _____

Then personally appeared before me the above-named **Ronald Cleveland** and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20 _____.

(SEAL)

Notary Public

(print name)

My Commission expires _____ / _____ / _____

Inventor's Signature: _____

Steve Wendler

State/Commonwealth

of _____

County of _____

Then personally appeared before me the above-named Steve Wendler and acknowledged that he/she executed the foregoing instrument as his/her free act and deed this _____ day of _____, 20 _____.

(SEAL)

Notary Public

_____ (print name)

My Commission expires _____ / _____ / _____

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))</i>		Attorney Docket No.	2293.2011-001
		First Named Inventor or Application Identifier	Ronald Cleveland
		Express Mail Label No.	EV 214914595 US

Title of Invention	TRAILER CARGO DETECTION USING ULTRASONIC TRANSDUCERS		
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.		ADDRESS TO: Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	

- | | |
|---|---|
| 1. [] Fee Transmittal Form
<i>(Submit an original, and a duplicate for fee processing)</i> | 6. [] Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary) |
| 2. [X] Specification
<i>(preferred arrangement set forth below)</i> | Total Pages [17] |
| <ul style="list-style-type: none"> - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings <i>(if filed)</i> - Detailed Description - Claim(s) - Abstract of the Disclosure | |
| 3. [X] Drawing(s) (35 U.S.C. 113) Total Sheets [8]
[X] Fig. of the Drawings for Publication [4]
[] No Figure to be Published | a. [] Computer Readable Form |
| 4. [] Oath or Declaration Total Pages [] | b. [] Paper Copy (identical to computer copy)
[] Pages |
| <ul style="list-style-type: none"> a. [] Newly executed (original or copy) b. [] Copy from a prior application (37 C.F.R. 1.63(d))
<i>(for continuation/divisional with Box 17 completed)</i> i. [] DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b). | |
| 5. [] CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i> | c. [] Statements verifying identity of above copies |

ACCOMPANYING APPLICATION PARTS

- | |
|---|
| 7. [] Assignment Papers (cover sheet & documents) |
| [X] Assignee - Terion Inc.
6505 Windcrest Drive, Suite 200
Plano, TX 75024 |
| 8. [] Power of Attorney [] 37 C.F.R. 3.73(b) Statement |
| 9. [] English Translation Document <i>(if applicable)</i> |
| 10. [] Information Disclosure Statement (IDS)/PTO-1449 [] Copies of IDS Citations |
| 11. [] Preliminary Amendment |
| 12. [X] Return Receipt Postcard |
| 13. [] Small Entity Statement(s) |
| 14a. [] Foreign Priority Claim under 35 U.S.C. § 1.19 or 365 |
| 14b. [] Certified Copy of Priority Document(s) |
| 15. [] Nonpublication Request <i>(check parent application)</i> |
| 16. [] Other _____ |

17. If a CONTINUING APPLICATION, check appropriate box; supply the requisite information.

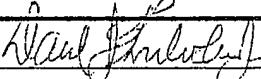
[] Continuation [] Divisional [] Continuation-in-part (CIP) of prior application No.:

Prior application information: Examiner: Group Art Unit:

The entire disclosure of the prior application is considered a part of the disclosure of the accompanying application and is hereby incorporated by reference.
(Add standard Related Applications section with incorporation by reference to specification or update same.)

18. CORRESPONDENCE ADDRESS

NAME	Customer No. 021005 HAMILTON, BROOK, SMITH & REYNOLDS, P.C.			
ADDRESS	530 Virginia Road, P.O. Box 9133			
CITY	Concord	STATE	MA	ZIP CODE
COUNTRY	USA	TELEPHONE	(978) 341-0036	FAX (978) 341-0136

Signature		Date	August 1, 2003
Submitted by Typed or Printed Name	David J. Thibodeau, Jr.	Reg. Number	31,671